

March 18, 1988

LB 295, 295A, 764, 1041, 1079A
LR 345

enacted, I suspect I would find it difficult to disagree with the Attorney General's Opinion, particularly it related to an infringement on the legislative branch and to the executive branch which is clearly a clear constitutional issue. And that basis was that there was...it was, in effect, a legislative veto on what proposed grants might be made, although it was somewhat by areas, but nevertheless it allowed us to deal with them specifically. As Senator Wesely, I, too, preferred the system that we had proposed. But, by the same token, if we do not enact this legislation, enact these changes and make some authorization for those funds to be utilized, nothing will occur. And I suspect if we do not clarify the law and make it so that it can be functional, that along next fall the pressure will start to build up with how come the Legislature held up the distribution of all of these funds and all of the projects that have been applied for, which would be exactly the position we will be in for having failed to have taken what I would accept as necessary, corrective action. So I would...with that explanation, I would ask that the bill be advanced. I think there is at least legislative input in the sense that there are reports. There is an opportunity for legislative hearings, if we are in session, or by the Executive Board, if we are not in session, upon the general broad disbursement plans that the Energy Office might have. But it is true that we will not be in a position to question specific grant requests that are rewarded, although the bill does require an after-the-fact report as to where those funds were used. And certainly there can be hearings and discussion at length if there is any funds used in a fashion that they shouldn't have been.

SPEAKER BARRETT: You've heard the closing. The question is the advancement of LB 764 to E & R. Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 29 ayes, 1 nay, Mr. President, on the advancement of 764.

SPEAKER BARRETT: LB 764 is advanced. Anything for the record?

CLERK: Mr. President, a new resolution, LR 345 by Senator Coordsen. (Read.) That will be laid over. Senator Abboud has amendments to LB 1041 to be printed. Mr. President, your Committee on Enrollment and Review reports they have carefully examined and reviewed LB 295 and recommend that same be placed on Select File; LB 295A and LB 1079A, all on Select File,